

**CHAPTER NO. 387****SENATE BILL NO. 2124****By Black, Kurita, Bowers****Substituted for: House Bill No. 1904****By Odom, Favors, Marrero, Sontany, Brown, Hargrove**

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 7, relative to nursing.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-7-101, is amended by deleting the language "for compensation" from the first sentence of the section.

SECTION 2. Tennessee Code Annotated, Section 63-7-102(2), is amended by deleting the language "institutions, agencies or" from the subdivision.

SECTION 3. Tennessee Code Annotated, Section 63-7-105(c), is amended by deleting the subsection in its entirety and by substituting instead the language:

(c) Temporary Permits: The board may issue a temporary permit to a professional or registered nurse duly licensed according to the laws of another state and who has made application for permanent licensure in Tennessee. A permit issued under the provisions of this subsection (c) shall be valid for a single period of six (6) months.

SECTION 4. Tennessee Code Annotated, Section 63-7-106, is amended by deleting the section in its entirety and by substituting instead the language:

(a)(1) The applicant for a license to practice as a professional or registered nurse by examination must pay a fee as set by the board and the board may direct, by regulation, that a part of the fee will be paid directly to a testing service by the applicant.

(2) An unsuccessful applicant for licensure by examination may rewrite the examination upon payment of a fee as set by the board and the board may direct, by regulation, that a part of the fee will be paid directly to a testing service by the applicant.

(3) The applicant for a license to practice as a professional or registered nurse without examination under § 63-7-105(b) shall pay a fee as set by the board.

(b) The applicant for a temporary permit shall pay a fee as set by the board.

(c) Any person who holds a license to practice professional nursing under this chapter and who seeks to be licensed in another state by endorsement on the basis of the person's Tennessee license shall have the license certified by the board for a fee as set by the board.

(d) The applicant for a duplicate original license or a duplicate renewal certificate shall pay a fee as set by the board.

(e) The applicant for a school transcript shall pay a fee as set by the board.

(f) The applicant for a change in name shall pay a fee as set by the board.

(g) An applicant for a certificate of fitness or a temporary certificate of fitness, pursuant to § 63-7-123, shall pay a fee as set by the board.

SECTION 5. Tennessee Code Annotated, Section 63-7-110(c), is amended by deleting the subsection in its entirety and by substituting instead the language:

(c) Temporary Permits: The board may issue a temporary permit to a practical nurse duly licensed according to the laws of another state and who has made application for a permanent license in Tennessee. A permit issued under the provisions of this subsection (c) shall be valid for a single period of six (6) months.

SECTION 6. Tennessee Code Annotated, Section 63-7-111, is amended by deleting the section in its entirety and by substituting instead the following:

(a) The applicant for a license to practice as a licensed practical nurse shall pay an examination fee as set by the board and the board may direct, by regulation, that a part of the fee will be paid directly to a testing service by the applicant. An applicant to rewrite an examination shall pay an examination fee as set by the board and the board may direct, by regulation, that a part of the fee will be paid directly to a testing service by the applicant.

(b) The applicant to practice as a licensed practical nurse without examination under § 63-7-110(b) shall pay a fee as set by the board.

(c) The applicant for a permit shall pay a fee as set by the board.

(d) Any person who holds a license to practice as a practical nurse under this chapter and who seeks to be licensed in another state by endorsement on the basis of the person's Tennessee license shall have the license certified by the board for a fee as set by the board.

(e) The applicant for a duplicate original license or a duplicate renewal certificate shall pay a fee as set by the board.

(f) The applicant for a school transcript shall pay a fee as set by the board.

(g) The applicant for a change in name shall pay a fee as set by the board.

SECTION 7. Tennessee Code Annotated, Section 63-7-113, is amended by deleting the second sentence of the section in its entirety.

SECTION 8. Tennessee Code Annotated, Section 63-7-114, is amended by deleting the language "annually" from subsections (a) and (b) wherever it appears.

SECTION 9. Tennessee Code Annotated, Section 63-7-114(f), is amended by deleting the subsection in its entirety and by substituting instead the following:

(f) Any nurse who has not been engaged in the practice of nursing for five (5) years or more shall be issued an inactive license. If such nurse desires to resume practice, notice in writing shall be given to the board and evidence of nursing competence may be required prior to license renewal. The board shall evaluate on an individual basis evidence of nursing competence, which may include, but is not limited to continuing education, a refresher program, comprehensive orientation program, employment in a health-related policy position or nursing educational program.

SECTION 10. Tennessee Code Annotated, Section 63-7-117, is amended by inserting the language "on ground, distance, online or via other electronic means," between the language "practical nursing," and "must apply to".

SECTION 11. Tennessee Code Annotated, Section 63-7-118, is amended by deleting the language "by the board, who shall submit a written report of the survey" in the first sentence and by substituting instead the language "by the board. The school shall submit a written report".

SECTION 12. Tennessee Code Annotated, Section 63-7-119, is amended by deleting the language "five (5)" and by substituting instead the language "eight (8)".

SECTION 13. Tennessee Code Annotated, Section 63-7-202(a), is amended by adding the language "two (2) members who are advanced practice nurses," between the language "practical nurses," and "and one".

SECTION 14. Tennessee Code Annotated, Section 63-7-202(a)(2), is amended deleting subdivision (2)(C) in its entirety and by substituting instead:

(C) Each advanced practice nurse appointed to serve on the board shall:

(i) Be a resident of this state for at least one (1) year immediately preceding appointment;

(ii) Be currently licensed in good standing as a registered nurse in Tennessee;

(iii) Be currently certified in good standing as an advanced practice nurse in Tennessee;

(iv) Be currently engaged in the practice of nursing as an advanced practice nurse; and

(v) Have had no fewer than five (5) years experience as an advanced practice nurse; at least three (3) of which immediately preceded appointment.

(D) The representative of the public appointed to serve on the board shall:

(i) Be a resident of this state for at least one (1) year immediately preceding appointment;

(ii) Not have direct or indirect financial interest in health care services;

(iii) Neither be nor ever have been a health care provider or be enrolled in any health related educational program; and

(iv) Not be a member or employee of any board of control of any public or private health care organization.


SECTION 15. Tennessee Code Annotated, Section 63-7-205(a), is amended by deleting the language "Five (5)" and by substituting the language "Six (6)".

SECTION 16. Tennessee Code Annotated, Section 63-7-201, is amended by deleting the language "nine (9)" and by substituting instead the language "eleven (11)".

SECTION 17. This act shall take effect July 1, 2005, the public welfare requiring it.

**PASSED: May 25, 2005**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 9<sup>th</sup> day of June 2005**

  
PHIL BREDESEN, GOVERNOR